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Attorneys for Defendants

KCR DEVELOPMENT and

ANNIE MYOUNG HAE CHAN

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BUCEPHALUS ALTERNATIVE ENERGY GROUP,
LLC,

Plaintiff,

v.

KCR DEVELOPMENT AND ANNIE MYOUNG HAE
CHAN,

Defendants.

No. 08 Civ 7343 (LAP)(JCF)

**DEFENDANTS' NOTICE OF
MOTION TO DISMISS THE
COMPLAINT, OR, IN THE
ALTERNATIVE, STAY THE
ACTION, OR, IN THE
ALTERNATIVE, TRANSFER
THE ACTION**

ECF Case

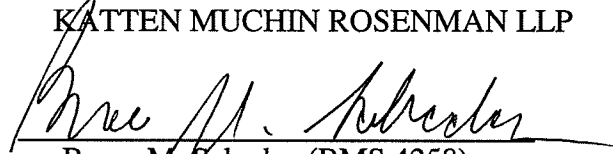
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PLEASE TAKE NOTICE that upon the annexed affidavit of Daniel A. Edelson, sworn to on September 23, 2008, with the exhibits attached thereto, the annexed declaration of Annie Chan, sworn to on September 19, 2008, the accompanying memorandum of law, dated September 23, 2008, and upon all prior pleadings and proceedings herein, Defendants Annie Myoung Hae Chan and KCR Development (collectively, "Defendants") will move this Court, before the Honorable Loretta A. Preska, United States District Judge, in the United States District Court for the Southern District of New York, at a date and time to be set by the Court, for an order, pursuant to Rules 12(b)(2) and 12(b)(3) of the Federal Rules of Civil Procedure and 28 U.S.C. §1406(a) and 1404(a): (1) to dismiss this action against Defendants for lack of personal jurisdiction; or, in the alternative (2) to dismiss or stay the action in favor a similar action pending in California state court; or, in the alternative (3) to dismiss or transfer this action to the United States District Court for the Northern District of California, San Jose Division, for improper venue; or, in the alternative, (4) to transfer venue of this action to the United States District Court for the Northern District of California, San Jose Division for the convenience of the parties.

Dated: New York, NY
September 23, 2008

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By:



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